

Adopted	Rejected
---------	----------

## COMMITTEE REPORT

YES:	11
NO:	0

### MR. SPEAKER:

*Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1106, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1           Page 1, line 5, after "chapter," insert **"child care article" means**
- 2           **a product designed or intended by the manufacturer to:**
- 3                 **(1) facilitate the sleep, relaxation, or feeding of a child; or**
- 4                 **(2) help a child with sucking or teething.**
- 5           **Sec. 2. As used in this chapter,"**
- 6           Page 1, line 6, delete "product" and insert **"toy or child care**
- 7           **article"**.
- 8           Page 1, between lines 9 and 10, begin a new paragraph and insert:
- 9                 **"Sec. 3. As used in this chapter, "toy" means an article designed**
- 10           **and made for the amusement of a child or for the child's use in**
- 11           **play."**
- 12           Page 1, line 10, delete "2." and insert **"4."**
- 13           Page 1, line 10, after "retailer" insert **"or distributor"**.
- 14           Page 1, line 10, after "resell" insert **"distribute,"**.

- 1 Page 1, line 13, after "purchase" insert "**or distribution**".
- 2 Page 1, line 13, after "retailer" insert "**or distributor**".
- 3 Page 2, line 3, delete "3." and insert "**5. (a)**".
- 4 Page 2, line 3, after "retailer" insert "**or distributor**".
- 5 Page 2, line 4, after "resells" insert "**distributes,**".
- 6 Page 2, line 6, after "purchase" insert "**or distribution**".
- 7 Page 2, line 6, after "retailer" insert "**or distributor;**
- 8 **not later than twenty-four (24) hours after receiving notification**
- 9 **that the product is a recalled product, as required by section 2 of**
- 10 **this chapter is subject to the same penalties and actions that a**
- 11 **person who commits a deceptive act is subject to under IC 24-5-0.5.**
- 12 **(b) A consignment or resale store shall make a reasonable effort**
- 13 **to determine if any product the consignment or resale store has for**
- 14 **sale is a recalled product.**
- 15 **(c) It is a defense to an action brought under subsection (a) for**
- 16 **a consignment or resale store if there is no identifying information**
- 17 **or packaging on a recalled product."**
- 18 Page 2, line 6, delete "not later than twenty-four (24)".
- 19 Page 2, delete lines 7 through 10.
- (Reference is to HB 1106 as introduced.)

**and when so amended that said bill do pass.**

---

Representative Summers